

REMARKS

Claims 1, 4-9 are all the claims pending in the application. Claims 1, and 6-8 have been amended and claim 9 has been added herein. This Response, submitted in reply to the Office Action dated January 16, 2009, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claim Rejections - 35 U.S.C. § 101

Claims 6-8 stand rejected under 35 U.S.C. § 101 because the claims are allegedly directed to neither a “process” nor a “machine”. Claims 6-8 have been appropriately amended herein. Therefore, Applicant submits that as amended the claims clearly recite a method of removing air from a tire and further submits that these claims are clearly method claims, even though some tire structure is necessarily recited. For at least these reasons, Applicant respectfully requests that this rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 112

Claims 1 and 4-8 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Examiner asserts that there is insufficient antecedent basis for the recitation of “the atmosphere side” in line 10 of claim 1. Further, the Examiner asserts that claims 6-8 are indefinite as reciting both an apparatus and method step in the same claim. Claims 1 and 6-8 have been appropriately amended herein and Applicant respectfully submits that all of the Examiner’s concerns have been fully addressed. Therefore, Applicant respectfully requests that this rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 1 and 4 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Prokul (U.S. 2,039,343) in view of Tailandier (U.S. 6,354,348). Applicant respectfully traverses this rejection.

Claim 1 recites:

A valve for a safety tire, equipped with a charging opening for charging gas into an outer gas chamber and an inner gas chamber, which are provided in a tire having a double structure, said valve for a safety tire comprising:

an air-supply passage for an inner gas chamber, which causes the charging opening and the inner gas chamber to communicate with each other;

an air-supply passage for an outer gas chamber, which causes the charging opening and the outer gas chamber to communicate with each other;

...an engaging portion that allows **a filling adapter with a coupler to be mounted at the charging opening in only a fixed direction, which filling adapter includes a first passage that can supply gas to the inner gas chamber by communicating with said air-supply passage for an inner gas chamber, and includes a second passage that can supply gas to the outer gas chamber by communicating with said air-supply passage for an outer gas chamber so as to make a pressure difference between the outer gas chamber and the inner gas chamber**, the engaging portion allowing the filling adapter to be mounted so that said air-supply passage for an inner gas chamber communicates with the first passage and said air-supply passage for an outer gas chamber communicates with the second passage, and

detachment-restraining means for restraining detachment of said nonreturn valve member for an outer gas chamber is provided in said air-supply passage for an outer gas chamber at a position nearer to the charging opening than said nonreturn valve member for an outer gas chamber.

In rejecting claim 1, the Examiner asserts that Prokul teaches substantially all of the features claimed, but acknowledges that Prokul does not teach having a filling adapter and an engagement portion allowing the filling adapter to be mounted to the valve as claimed. However, the Examiner assert that Tailandier cures this deficiency. Applicant respectfully submits that the Examiner has misconstrued the applied references.

Prokul is directed to a two-seal inner tube for a tire. More specifically, Prokul describes an inner tube for a tire having two air chambers, each connected to a filing valve 22 by a flow passage 27, and an inner valve 28 is provided at each of the flow passages. However, as the Examiner acknowledges, Prokul does not teach the claimed “engaging portion that allows a filling adapter...the engaging portion allowing the filing adapter to be mounted so that said air-supply passage for an inner gas chamber communicates with the first passage and said air-supply passage for an outer gas chamber communicates with the second passage”.

Taillandier is directed to a valve for a tire and rim assembly equipped with a pneumatic support membrane. In reference to the claimed “engaging portion that allows a filling adapter...the engaging portion allowing the filing adapter to be mounted so that said air-supply passage for an inner gas chamber communicates with the first passage and said air-supply passage for an outer gas chamber communicates with the second passage”, the Examiner refers to elements 30, 31, and 32 of Fig. 3 of Taillandier as teaching the claimed features. However, as described in Taillandier, Fig. 3 shows a longitudinal section of a valve 3 according to Taillandier’s invention. *See* Col. 3, lines 40-43. Specifically, Fig. 3 shows a valve body 30 having first and second air passages (31 and 32), which connect the inner membrane 15 and the inner cavity 27 with open air. Thus, Fig. 3 of Taillandier does not show a filing adapter, which engages an engagement portion of a tire valve as claimed, but instead teaches an alternative valve structure, which as discussed in the previous response does not have the features claimed in the present claim. Therefore, Applicant submits that Taillandier does not cure the deficiencies of Prokul.

Further, claim 1 also recites “detachment-restraining means for restraining detachment of said nonreturn valve member for an outer gas chamber is provided in said air-supply passage”.

The Examiner asserts that element 38 of Prokul teaches this feature. However, element 38 is merely described as a bridge piece which is connected to the tops of the stem plungers 26 to hold the valve stem plungers 25 in their uppermost position. *See* Col. 4, lines 28-42. Prokul does not provide any teachings that this element prevents the detachment of the non-return valve member and thus does not teach or even fairly suggest a detachment-restraining means as claimed.

For all the above discussed reasons, Applicant submits that claim 1 is patentable over the applied references. Further, claim 4 depends from claim 1 and thus is patentable at least by virtue of its dependency. Further, to the extent that claim 4 recites additional features of claimed filling adapter, Applicant respectfully submits that claim 4 is patentable over the applied references for these additional reasons.

Claims 5-8

Claims 5-8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Prokul (U.S. 2,039,343) in view of Taillandier (U.S. 6,354,348) as applied to claim 1 above, and further in view of Hawkes (U.S. 3,422,836). Applicant respectfully traverses this rejection.

Claims 5-8 depend from claim 1, which has been shown above to be patentable over the Prokul and Taillandier references. Hawkes does not cure the deficiencies of the other references. Therefore, Applicant respectfully submits that these claims are patentable at least by virtue of their dependency and respectfully requests that the rejection of these claims be withdrawn.

Newly Added Claims

Claim 9 has been added herein and depends from claim 1, which has been shown above to be patentable over the applied references. Therefore, Applicant respectfully submits that this claim is patentable at least by virtue of their dependency. Further,

Applicant also submits that none of the applied references teach or even fairly suggest the unique features recited therein. Therefore, Applicant respectfully requests that this claim be allowed.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880 via EFS payment screen. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Michael C. Jones/

Michael C. Jones
Registration No. 63,266

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 16, 2009